

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

MUSE ABDIKADIR MUSE,

Defendant.

Hon. Gordon J. Quist

Case No. 1:19-cr-00025

ORDER OF DETENTION

This matter is before the Court on the government's motion for pretrial detention. Defendant has been charged in a three-count Indictment. Count 1 of the Indictment charges defendant with conspiracy to provide material support to a designated foreign terrorist organization in violation of 18 U.S.C. § 2339B(a)(1); count two charges him with attempting to provide material support to a designated foreign terrorist organization in violation of 18 U.S.C. §§ 2339B(a)(1) and 2; and count 3 charges defendant with providing a false statement in passport application in violation of 18 U.S.C. § 1542. Given the nature of the charges, there is a statutory rebuttable presumption in favor of detention.

The government sought defendant's detention on the basis that he is a danger to the community, 18 U.S.C. § 1342(f)(1), and that he poses a significant risk of flight, 18 U.S.C. § 3142(f)(2)(A). The Court conducted a hearing yesterday, at which defendant was represented by counsel.

Having considered the information presented at the hearing, the parties' oral submissions, and the information in the Pretrial Services Report, and for the reasons stated on the record, the Court finds that defendant has rebutted the presumption of detention regarding risk of flight, but has not rebutted the presumption of detention as to danger to the community. The Court also finds, as explained on the record, that the government has met its burden of establishing by preponderant evidence that defendant poses a significant risk of flight and by clear and convincing evidence that defendant poses a danger to the community. Further, the Court finds that there is no condition or combination of conditions that will ensure the safety of the community. Accordingly,

IT IS ORDERED that defendant is committed to the custody of the Attorney General pending trial.

DONE AND ORDERED on February 1, 2019.

Date February 1, 2019

/s/ Phillip J. Green
PHILLIP J. GREEN
United States Magistrate Judge